

# November 13, 2001: Commission Issues Recommendations to Promote Religious Freedom in Uzbekistan

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WASHINGTON - The U.S. Commission on International Religious Freedom, an independent government agency advising the Administration and Congress, has forwarded to President Bush a series of recommendations to promote religious freedom in Uzbekistan. The Commission found that the government of Uzbekistan, a key country in the war on terrorism, "substantially violates the religious freedom of its people." The text of the letter and recommendations follows:

November 9, 2001Dear Mr. President:The U.S. Commission On International Religious Freedom respectfully submits recommendations for policies to promote religious freedom in Uzbekistan as an integral part of heightened U.S. engagement with that country.As discussed in our October 5 letter to you, the Commission supports the Administration's strong response to terrorism. That campaign against terrorism affords the United States a unique opportunity to encourage much-needed improvement by Uzbekistan's government in its abysmal treatment of religious exercise. In so doing we demonstrate our commitment to our principles and values, including the very rights and freedoms the terrorists would destroy.Since 1999, under the guise of fighting terrorism, the Uzbek government has arrested, tortured, and imprisoned (with sentences up to 20 years) thousands of Muslims who reject the state's control over religious practice. In some cases, a Muslim's piety alone brings down state suspicion and arrest. Human rights organizations report that the majority of inmates were arrested on specious drug charges or only for having offending literature on their person. Once arrested, they frequently do not have access to a lawyer or are held incommunicado for weeks and sometimes even months. Though certain underground groups in Uzbekistan, including the Islamic Movement of Uzbekistan, pose a genuine security threat to the Uzbek government, virtually all observers (and many U.S. government officials) contend that the current government's extremely repressive policies are actively contributing to the growth of-and popular support for-radicalized groups there.The Uzbek government continues to exercise excessive control over all religious practice in that country. Despite the constitutional guarantee of the separation of church and state, the Karimov government strictly regulates Islamic institutions, beliefs, and practice through the officially sanctioned Muslim Spiritual Board. The government claims the right to determine who can become an imam and the content of imams' sermons.In addition, the Law on Freedom of Conscience and Religious Organizations passed in May 1998 severely restricts the right of independent Muslims, as well as minority religious groups, to exercise their religious freedom. Through a series of regulations that are often subjectively applied, the 1998 law imposes what the State Department's 2001 Report on International Religious Freedom calls "strict and burdensome criteria" for the registration of religious groups, criminalizes unregistered religious activity, bans the production and distribution of unofficial religious publications, and prohibits minors from participating in religious organizations. The State Department Report notes also that this law "restricts religious rights that are judged to be in conflict with national security, prohibits proselytizing, bans religious subjects in schools, prohibits private teaching of religious principles, and forbids the wearing of religious clothing in public by anyone other than clerics."In short, the Commission finds that the government of Uzbekistan substantially violates the religious freedom of its people.The U.S. Commission on International Religious Freedom, an independent federal agency, is mandated by the International Religious Freedom Act of 1998 to monitor violations of religious freedom abroad and to recommend to the Executive and Legislative branches U.S. policies to improve those conditions.Pursuant to that mandate, the Commission respectfully recommends that the U.S. Government implement the policies toward Uzbekistan outlined in the attachment to this letter.Thank you, Mr. President, for considering the Commission's findings and policy recommendations. We would be pleased to work with your staff and with the State Department to further explore their implementation.

Respectfully,Michael K. YoungChair

Recommendation 1. The U.S. government should continue to press forcefully its concern about religious freedom violations in Uzbekistan, consistent with the Uzbek government's obligations to promote respect for and observance of human rights. The U.S. government should also encourage scrutiny of these concerns in appropriate international fora such as the Organization on Security and Cooperation in Europe (OSCE) and other multilateral venues.

Recommendation 2. The U.S. government should press the Uzbek government to cease its abuse of those articles in its criminal code, including Articles 159 and 216, that negatively impinge on religious freedom.

Recommendation 3. The U.S. government should strongly encourage the Uzbek government to establish a mechanism to review the cases of persons detained under suspicion of or charged with religious, political, or security offenses and to release those who have been imprisoned solely because of their religious beliefs, practices, or choice of religious association, as well as any others who have been unjustly detained or sentenced.

Recommendation 4. The U.S. government should instruct the U.S. Embassy in Tashkent to continue to every extent possible its policy of carefully monitoring the status of individuals who are arrested for alleged religious, political, and security offenses.

Recommendation 5. While recognizing the Uzbek government's duty to protect its people from violence and terrorism from whatever source, the U.S. government should press the government of Uzbekistan to discontinue its practice of excessively regulating the free practice of religion in Uzbekistan, including the oppressive regulation of the Islamic clergy and the use of registration requirements to prevent minority religious groups from practicing their faith.

Recommendation 6. The U.S. government should press the Uzbek government to ensure that every religious prisoner has access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments, including Article 14 of the International Covenant on Civil and Political Rights. In

addition, the U.S. government should press the Uzbek government to ensure that all prisoners are allowed to practice their religion while in detention, to the fullest extent compatible with the specific nature of their detention. Recommendation 7. The U.S. government should press the Uzbek government to adhere to its international commitments to abide fully by the rule of law and to protect human rights ensuring due process of law to all. Recommendation 8. All U.S. assistance to the Uzbek government, with the exception of assistance to improve humanitarian conditions and advance human rights, should be made contingent upon that government's taking a number of concrete steps to improve conditions for religious freedom for all individuals and religious groups in Uzbekistan. These steps should include: releasing persons imprisoned solely because of their religious beliefs, practices, or choice of religious association; ending torture; halting the arrest and detention of persons because of their religious beliefs, practices, or choice of religious association; and refraining from using registration requirements to prevent religious groups from practicing their faith. The state should also relinquish at least some control over the Islamic clergy and believers. In addition, U.S. security and other forms of assistance should be carefully scrutinized to ensure that these programs do not facilitate Uzbek government policies that result in religious freedom violations. Recommendation 9. The U.S. government should continue to develop assistance programs for Uzbekistan designed to encourage the creation of institutions of civil society that protect human rights and promote religious freedom. This assistance could include training in human rights, the rule of law, and crime investigation for police and other law enforcement officials. Since such programs have been attempted in the past with little effect, they should be carefully structured to accomplish, and carefully monitored and conditioned upon fulfillment of, these specific goals. Recommendation 10. The U.S. government should retain the recently reinstated Uzbek language program at the Voice of America (VOA), and should use VOA and other appropriate avenues of public diplomacy to explain to the people of Uzbekistan why religious freedom is an important element of U.S. foreign policy as well as specific concerns about religious freedom in their country. In addition, the U.S. government should continue its practice of encouraging exchanges between the people of Uzbekistan and the United States, paying attention to opportunities to include human rights advocates and religious figures in those programs.

Michael K. Young, Chair

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